

**UNITED STATES DEPARTMENT OF COMMERCE****United States Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

28

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/212,107 12/15/98 ARNO

J 4070-317.CIP

EXAMINER

IM22/0423

STEVEN J HULTQUIST

IP TL

P O BOX 14329

RESEARCH TRIANGLE NC 27709

NGUYEN, N

ART UNIT

PAPER NUMBER

1754

DATE MAILED:

04/23/01

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER
	8

DATE MAILED:

Please find below a communication from the EXAMINER in charge of the application.

Commissioner of Patents.

The general policy of the Office is not to permit the applicants to shift to claiming another invention after an election is once made and action given on the elected subject. Applicants had elected Group V, species "c" in paper 8 (filed March 7, 2000). The elected claimed invention and species had been examined on the merit (Office Action, paper #9, mailed on November 07, 2000). In Applicants' response, filed on January 30, 2001, species "c" has been included in the main body of claim 21 and claim 21 now requires the original species "c" and at least one of the remaining species. Since the election of species requirement (see paper 4) clearly states that Applicants were required to elect "a single disclosed species", shifting from one species to a combination of species is not permitted.

Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication should be directed to Ngoc-Yen Nguyen at telephone number (703) 308-2536.

N. M. Nguyen  
April 22, 2001

*Ngoc-Yen Nguyen*  
N. M. Nguyen  
Primary Examiner  
Art Unit 1754